

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	

ORDER

Adopted: April 8, 2002

Released: April 8, 2002

By the Deputy Chief, Wireline Competition Bureau:

1. On February 15, 2002, the Commission released a *Notice of Proposed Rulemaking and Order* seeking comment on the issues from the *Ninth Report and Order* remanded by the United States Court of Appeals for the Tenth Circuit.¹ The *NPRM* states that interested parties may file comments 30 days after Federal Register publication of the *NPRM* and reply comments 45 days after such publication. Thirty days after Federal Register publication of the *NPRM* is April 10, 2002, and 45 days after Federal Register publication is April 25, 2002.² On April 2, 2002, the United States Telecom Association (USTA) filed a motion to extend the deadlines for filing comments and reply comments in this proceeding to May 28, 2002, and June 10, 2002, respectively.³ Specifically, USTA requests an extension of time in order to allow interested commenters additional time to comment on each of the three universal service proceedings that have comments due within a two month time period.⁴

¹ See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Notice Proposed Rulemaking and Order, 17 FCC Rcd 2999 (2002) (*NPRM*); *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Ninth Report & Order on Reconsideration, 14 FCC Rcd. 20432 (1999) (*Ninth Report and Order*); *Qwest Corp. v. FCC*, 258 F.3d 1191 (10th Cir. 2001).

² 67 Fed Reg. 10867 (March 11, 2002).

³ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Motion for Extension of Time (filed April 2, 2002) (Motion for Extension).

⁴ See *id.* at 2. USTA notes that, in addition to this proceeding, the Commission has at least two other proceedings concerning universal service with comment and reply comment filing dates within two months. The comment and reply comment filing dates for the *Further Notice of Proposed Rulemaking and Report and Order* concerning contribution methodology are April 12, 2002 and April 29, 2002, respectively. The comment dates for the *Notice of Proposed Rulemaking* concerning wireline broadband are May 3, 2002 and June 3, 2002, respectively. See *Federal-State Joint Board on Universal Service*, 1998 Biennial Regulatory Review – Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Service, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms, Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans With Disabilities Act of 1990, Administration of the North American Numbering Plan and North American Numbering Plan Cost Recovery Contribution Factor and Fund Size, Number Resource Optimization, Telephone Number Portability, Truth-in-Billing and Billing Format, CC Docket Nos. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116, 98-170, Universal Service Contribution Methodology, Further Notice of Proposed Rulemaking and Report and

(continued....)

2. We hereby deny USTA's motion for an extension of time in which to file comments and reply comments in this proceeding. It is the policy of the Commission that extensions of time are not routinely granted.⁵ The *NPRM* directed the Joint Board to issue a recommended decision on the issues described in the *NPRM* to the Commission no later than August 15, 2002.⁶ An extension of time would deprive the Joint-Board of adequate time to review the record and present a recommended decision to the Commission in a timely manner. In light of the August 2002 deadline for the Joint-Board's recommended decision, the Commission must proceed expeditiously in closing the record. Accordingly, USTA has not shown good cause for an extension of time.

3. For further information, please contact Sheryl Todd, Wireline Competition Bureau, Telecommunications Access Policy Division, 202-418-7400.

4. ACCORDINGLY, IT IS ORDERED that, pursuant to section 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. §§ 154(i), 154(j), and 155(c), and sections 0.91, 0.291, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 1.46, the request for extension of time filed by United States Telecom Association IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Carol E. Matthey
Deputy Chief, Wireline Competition Bureau

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Order, FCC 02-43 (rel. February 26, 2002); *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, Universal Service Obligations of Broadband Providers, Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review – Review of Computer III and ONA Safeguards and Requirements*, CC Docket Nos. 02-33, 95-20, 98-10, Notice of Proposed Rulemaking, 17 FCC Rcd 3019 (2002).

⁵ 47 C.F.R. § 1.46(a).

⁶ See *NPRM*, 17 FCC Rcd at 3011, para. 26.